



**DEPARTMENT OF ENERGY**  
**Federal Energy Regulatory Commission**

**[Project No. 12721-022]**

**Pepperell Hydro Company, LLC; Notice of Application Accepted for Filing and Soliciting Comments, Motions to Intervene, And Protests**

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. Type of Application: Non-capacity amendment of license
- b. Project No.: 12721-022
- c. Date Filed: November 9, 2021
- d. Applicant: Pepperell Hydro Company, LLC
- e. Name of Project: Pepperell Hydroelectric Project
- f. Location: The project is located on Nashua River in Middlesex County, Massachusetts.
- g. Filed Pursuant to: Federal Power Act, 16 USC 791 (a)-825(r)
- h. Applicant Contact: Mathew Nini, Licensing and Compliance Manager Pepperell Hydro Company, LLC c/o Eagle Creek Renewable Energy, LLC, Morristown, NJ 07960, (973) 998-8171, [Mathew.nini@eaglecreekre.com](mailto:Mathew.nini@eaglecreekre.com)
- i. FERC Contact: Korede Olagbegi, (202) 502-6268, [Korede.Olagbegi@ferc.gov](mailto:Korede.Olagbegi@ferc.gov)
- j. Deadline for filing comments, motions to intervene, and protests: February 9, 2022.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/doc-sfiling/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may send a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy

Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P-12721-022. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. **Description of Request:** The applicant proposes to delete Article 301 from its license, which authorizes construction and specifies the timeline for completion of a 67.5-kilowatt turbine-generator unit. The previous owner of Pepperell Hydro Company, LLC proposed to install the unit to generate electricity with the water provided as a minimum flow to the project's bypassed reach. To date, a concrete pad for the proposed minimum flow turbine and a concrete abutment at the dam to house the minimum flow intake have been constructed, however, the minimum flow turbine itself and other appurtenant structures have not been constructed. The applicant proposes to no longer install the minimum flow turbine-generator unit. As a result of the proposed deletion of the unit, the applicant indicates that minor design modifications to the partially completed downstream fishway and to the methods for providing minimum flows downstream of the dam will be necessary. These modifications are addressed in the amendment application, which includes proposed amendments to the Operations and Flow Monitoring Plan that detail flow through the downstream fishway. The applicant does not propose any other changes to the operation of the Pepperell Project.

l. **Locations of the Applications:** This filing may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. Agencies may obtain copies of the application directly from the applicant.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. **Comments, Motions to Intervene, or Protests:** Anyone may submit comments, a motion to intervene, or a protest in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, motions to intervene, or protests

must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: Any filing must (1) bear in all capital letters the title “COMMENTS”, “MOTION TO INTERVENE”, or “PROTEST” as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

Dated: January 10, 2022.

**Kimberly D. Bose,**  
*Secretary.*

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